

REMARKS

Reconsideration of the above-identified patent application is respectfully requested.

Claims 47-85 are pending in this application. Claims 47-67 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,636,122 to Shah et al. (Shah). Claims 47-49, 53-70, and 74-85 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shah in view of U.S. Patent Application Publication No. 2003/0233190 A1 to Jones (Jones).

Claims 47-85 have been canceled. New claims 86-138 have been added. As described in the specification, the present invention as defined in the claims concerns managing the pick up, transportation, and delivery of vehicles from an origination location, such as a car dealership or residential location, to a destination location, such as a car auction site. Management of the delivery of vehicles necessarily involves unique concerns apart from the pick up and delivery of other types of goods. For example, identification of the vehicle being picked up and delivered is received and monitored. Accordingly, each of claims 86, 103, 114, and 126 recites receiving "predetermined vehicle identification data associated with the vehicle." None of the cited references teach or suggest such a step or system.

The Examiner concedes that "Shah et al fail to disclose vehicle identification data for identifying which vehicle is to be picked up and delivered." (See Office Action dated 09/22/2004, page 4, paragraph 3). In an attempt to overcome this deficiency in Shah, the Examiner contends that "Jones discloses a dispatch and delivery management system and teach wherein a user may enter an order for a package to be delivered and wherein the order includes package identification number to identify which package is to be picked up and delivered." (See Office Action dated 09/22/2004, page 4, paragraph 3). However, the "package identification number" disclosed in Shah is not "predetermined vehicle identification data associated with the vehicle," as recited in new claims 86, 103, 114, and 126. On the contrary, the "package identification number" disclosed in Jones is simply the destination address of the package: "the package location information/bar code numbers (package identification numbers)." (See Paragraph 0119). "Initially, vehicle stops for each vehicle 19 are programmed into the advance notification system 10 by entering the respective package addresses. As the vehicle 19 is loaded with packages, the package addresses are considered as the vehicle location stops by the system 10. The actual addresses of the packages are normally scanned into a database program using a bar code scanner device (United Parcel Service tracking numbers are of the following formats . .

.” (See Paragraph 0095) Accordingly, the “package identification number” disclosed in Jones is not equivalent to “predetermined vehicle identification data associated with the vehicle,” as recited in new claims 86, 103, 114, and 126.

It should be appreciated that the “predetermined vehicle identification data associated with the vehicle” is unique data generated during the manufacture of the vehicle and includes such data as the vehicle identification number or portion thereof, the color of the vehicle, the make of the vehicle, and/or the model of the vehicle. As such, the “predetermined vehicle identification data” exists regardless of whether or not the particular vehicle in question is used with the methods and systems disclosed in the Applicant’s application. That is, the “predetermined vehicle identification data” exists apart from the claimed invention and is not generated as a step thereof. Accordingly, the present invention, as defined by the claims, differs from typical systems and methods used by common package delivery companies, such as the United Parcel Service, in that the “package identification numbers” used by such companies are not “predetermined” nor are they received by the delivery company. On the contrary, such “package identification numbers” are typically *generated* by the delivery company as a step of their delivery process. For example, when the package delivery company receives an order for the delivery of a package, the company does not receive a “package identification number.” Instead, the package delivery company typically produces the “package identification number” after receipt of the order. Conversely, claims 86, 103, 114, and 126 recite “receiving predetermined vehicle identification data associated with the vehicle.”

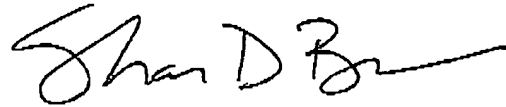
Accordingly, for at least the reasons discussed above, new claims 86, 103, 114, and 126 are believed to be allowable. Because claims 87-102, 104-113, 115-125, and 127-138 depend from claims 86, 103, 114, and 126, respectively, these claims are also believed to be allowable.

New claims 86-138 are believed to be in condition for allowance, and such action is

solicited. The Examiner is cordially invited to contact the undersigned by telephone to discuss any unresolved matters.

Respectfully submitted,

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